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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION
15975 ALTON PARKWAY
IRVINE, CA 92618-3731

EXAMINER	
SARPONG, AKWASI	

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
10/26/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/826,806

Applicant(s)

UCHIKAWA, SHINICHI

Examiner

AKWASI M. SARPONG

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8, 9 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 08/22/2008, 04/14/2008, 09/02/2004 and 04/15/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

39DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsueda (2002/0186400) in view of Okada (6396952)

Claim 1, Matsueda discloses a printing apparatus (**Server 202 and printer 231 shown in Fig. 2**) that processes a print job (**Section 0028, Lines 1-10- print job**), the printing apparatus comprising:

a receiving unit configured to receive, (**Section 0048, lines 1-3- portion of printer 231 that receives the print job**) from an information processing system, (**Section 0047, lines 4-5- thus the print job is sent from client 201**) the print job (**Section 0048 lines 1-3 thus the print job is received**) and a notification destination of information indicating completion of cancellation of the print job. (**Section 0053 clearly teaches that when there is a generation of event such as completion of deletion event, the reception unit 226 is notified and therefore it is clear that the destination notification was indicated to be the reception unit 226- please see NB**)

(NB: Section 0039, lines 3-5, if the reception unit 226 receives events updates such as completion of print job cancellation- then the printer has to receive a destination notification set to be the reception unit 226)

a request receiving unit **(Fig. 2 El. 226 or deletion event reception)** configured to receive, from the information processing system **(Fig. 2, Client 201- the user uses client 201 to issue a cancellation command)** a request for canceling the print job received by the receiving unit **(Section 0053, Lines 1-12- thus the generated event by the client includes a job cancellation event or command to cancel a print job is sent to the deletion event reception 226).**

a determining unit **(deletion control unit-CPU 221-Section 0009)** configured to determine whether the print job specified in the request still exists in the printing apparatus in a case where the request is received by the request receiving unit. **(Section 0009, thus the deletion control unit makes the determination that the print job can be deleted and therefore understand that before a print job can be deleted, the print job has to exist in the print queue-please see NB)**

(NB: Section 0059 lines 5-16- thus for a job to be deleted the print job has to be entered in the job management area 34 and a job event has to be generated and notified, therefore if the print job does not exist the system cannot see it not delete it).

a responding unit **(Fig. 2 El. 202, thus the 226 reception unit in the server that sends the “cancel command response”)** configured to transmit response

information, indicating that the request has been received to the information processing system (Section 0081, lines 11-15, Fig. 8 EI 86, “the cancel command response is received” thus the response of the command to cancel the print job has been received) before cancellation of the print job specified in the request is completed in a case where the determining unit determines that the print job specified in the request still exists in the printing apparatus. (Section 0066, lines 3-7- hence “the status of Job 0x0000020 is “to be deleted” indicating that a cancellation request has been received from the printing system 12” and “A job with this status will be cancelled as soon as it reaches the job management area 34” – This means that the status “to be deleted” is a response to indicate to the user that the request has been received and the job to be deleted exist and will be deleted)

and to transmit error information (Section 0082 lines 11-15 “Unentered” shown in Fig. 5) to the information processing system (Client 201 shown in Fig. 2) in a case where the determining unit (CPU 221 shown in fig. 2) determines that the print job specified in the request does not exist in the printing apparatus, as a response to the request received by the request receiving unit and (Section 0082, lines 1-15- “If, on the other hand in step S84 it is determined that the status of the designated job is not that of “already entered”- hence the designated job does not exist –see Section 0081 line 11 and if the status is “unentered” meaning the job does not exist then the job information for the job is deleted from the job management table 1202. Therefore the error message “unentered” is for jobs that does not exist understand that the response is sent in the form of a status)-please see NB

(NB: as discussed above if the designated jobs exist then the status or message is “already entered”, on the other hand if the status is “unentered” then the designated job does not exist. Therefore “already entered is the response message for designated jobs that exist and “unentered” job is the response message for designated jobs that does not exist).

a transmitting unit **(Fig. 2 El. 231 or printer 231- thus after the print job has been deleted a response in the form of a status is sent back to the client)** configured to transmit information, **(the information is send in the form of a status)** that the print job has been canceled to the information processing system, the print job has been canceled in accordance with the request received by the receiving unit, **(Section 0053 – when there is a job deletion event, the job manager 225 is notified and eventually updated in the management table 1201 which is inside client 201).**

Matsueda does not disclose wherein the notification destination received by the receiving unit is different from the information processing system to which the responding unit transmits the response information or the error information.

Okada discloses email address used as a notification destination **(Col. 13 lines 25-27- thus the email address is the destination where the result will be sent)** received by the printing machine (receiving unit) which is different from the information processing system **(Net fax 14 shown in fig. 3 is clearly different from the printing Machine)** to which the responding unit transmits the response information or the error

information (**Col. 6 lines 64-67- thus if there is a transmission error, the response is sent to the email address indicated in the notification E-mail address table shown in Fig. 19**) . Since both Matsueda (Section 0066, lines 3-5) and Okada (Abstract, lines 1-3) discloses transmitting communication result of a process to a destination, it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Matsueda's system shown in Fig. 1 with the technology of sending the status to a different location other than the source of the request like an email address as taught by Okada so that the user can check the status of the request if he is away from his original location. The motivation is that it gives the user more options to check the status of the request since the status can be checked in many different locations.

Claim 2, Matsueda in view of Okada discloses printing apparatus further comprising:

a retrieving unit (**Matsueda: Fig. 2 El. 224- thus the communication unit 240 acquires the print job specified to be deleted**) configured to retrieve the print job corresponding to a job identifier specified in the request has been submitted in accordance with the request for canceling the print job received by the request receiving unit, (**Matsueda: Section 0090, Fig. 7 El. S74, thus the system ID of the print job represents the print job and therefore when the system ID is acquired then the print job is also acquired or retrieved**) wherein the responding unit transmits either response information to the information processing system if the corresponding print job is retrieved by the retrieving unit, (**Matsueda: Section 0081, lines 9-15- thus if it is**

determined that the print job exits in the job management area then a message in the form of a status as “already entered” is sent to the user in the form of a table as clearly shown in Fig. 5) or the error response information to the information processing system if the corresponding print job is not retrieved by the retrieving unit (Matsueda: Section 0082, lines 1-7, Fig. 8, El. S89, when the status or the message sent out is unentered that means that the print job does not exist and therefore sending the response or message “unentered” means or the same as sending an error message to the user that the designated job does not exist).

Claim 3, Matsueda in view of Okada discloses a printing apparatus which further comprises:

an acquiring unit (Matsueda: Fig. 2 El. 227- thus the job listing unit acquires the print job system ID) configured to acquire second identification (Matsueda: Section 0066-System ID identifies a print job which is under consideration as clearly shown in Fig. 5) information of the print job corresponding to first identification information (Matsueda: Fig. 5-Job handle is also another identification which corresponds to a specific print job such as 0x00000000) specified in the request received by the receiving unit, the second identification information being associated with the print job in order for the printing apparatus to manage the print job (Matsueda: Section 0062, Fig. 5, thus a specified job handle ID and system ID corresponds a particular print job as it is clearly shown in fig. 5 hence 0x00000001 and

0xc9000001 corresponds to one particular print job); and a canceling unit for canceling the print job based on the second identification information acquired by the acquiring unit **(Matsueda: Section 0063 and 0064-thus when the print job's status is set as "being deleted" that means that the specified print job is actually been deleted from the print system).**

Claim 4, Matsueda in view of Okada discloses a printing apparatus, which further comprises:

a request receiving unit **(Matsueda: Fig. 2 El. 226- thus the job cancellation request is received by event reception unit 226 in Fig. 2)** configured to receive a request for the print job from the information processing system **(Matsueda: Sections 0053-thus the events received can include a request for a job cancellation)**

an identification-information transmitting unit **(Matsueda: Fig. 2 El.12-1)** configured to transmit the first identification information **(Matsueda: Job handle ID)** corresponding to the print job to the information processing system in accordance with the request received by the request receiving unit; **(Matsueda: Section 0049-0051- thus the job handle ID corresponds to a print job in which a cancellation has been issued).** and

a print-data receiving unit **(Matsueda: Fig. 2 El. 226)** configured to receive print data corresponding to the print job from the information processing system after the first identification information has been transmitted by the identification-information

transmitting unit **(Matsueda: Section 0050 and 0051-thus the job listing unit stores the print jobs which has been transmitted from Client 201).**

Claim 5, Matsueda in view of Okada discloses a printing apparatus wherein the transmitting unit transmits the information that the print job has been canceled to the information processing system after the print job has been canceled by the canceling unit **(Matsueda: Sections 0088- thus the status of the print job requested to be deleted in the job management table 1202 is updated to be “deleted” after the designated job is deleted and therefore the information “deleted” is transmitted to the job management table 1202 as deleted after the print job is deleted).**

Claim 6, Matsueda discloses a method of canceling a print job in a printing apparatus the method comprising:

receiving from information processing system, the print job **(Section 0028, Lines 1-10-thus the print job created forms the print queue)** and a notification destination of information indicating completion of cancellation of the print job. **(Section 0053 clearly teaches that when there is a generation of event such as completion of deletion event, the reception unit 226 is notified and therefore it is clear that the destination notification was indicated to be the reception unit 226- please see NB)**

(NB: Section 0039, lines 3-5, if the reception unit 226 receives events updates such as completion of print job cancellation- then the printer has to receive a destination notification set to be the reception unit 226)

receiving from the information processing system, **(Fig. 1 El. 11 or user application)** a request for canceling the print job received by the printing apparatus; **(Section 0053, Lines 1-12- thus the generated events by the user application includes a job cancellation event or command to cancel a print job)**

determining whether the print job specified in the received request still exists in the printing apparatus, **(Section 0009, thus the deletion control unit makes the determination that the print job can be deleted and therefore understand that before a print job can be deleted, the print job has to exist in the print queue- please see NB)**

(NB: Section 0059 lines 5-16- thus for a job to be deleted the print job has to be entered in the job management area 34 and a job event has to be generated and notified, therefore if the print job does not exist the system cannot see it not delete it)

transmitting response information indicating that the request has been received to the information processing system as a response to the request **(Section 0081, lines 11-15, Fig. 8 El 86, “the cancel command response is received” thus the response of the command to cancel the print job has been received)** before cancellation of the print job specified in the request is completed in a case where it is determined that the print job specified in the request still exists in the printing apparatus **(Section 0066, lines 3-7- hence “the status of Job 0x0000020 is “to be deleted” indicating that a cancellation request has been received from the printing system 12” and “A job with this status will be cancelled as soon as it reaches the job management area**

34” – This means that the status “to be deleted” is a response to indicate to the user that the request has been received and the job to be deleted exist and will be deleted) and

NB: Understand that the response information is send in the form of a table notification as clearly shown in Fig. 5 and the status is always revised in the management table 1202 and in 1201 which is in client 201- please section 0076) and

transmitting error information (Section 0082 lines 11-15 “Unentered” shown in Fig. 5) to the information processing system (Client 201 shown in Fig. 2) as a response to the request for canceling the print job in a case where it is determined that the print job specified in the request does not exist in the printing apparatus and (Section 0082, lines 1-15- “If, on the other hand in step S84 it is determined that the status of the designated job is not that of “already entered”- hence the designated job does not exist –see Section 0081 line 11 and if the status is “unentered” meaning the job does not exist then the job information for the job is deleted from the job management table 1202. Therefore the error message “unentered” is for jobs that does not exist understand that the response is sent in the form of a status)-please see NB

(NB: as discussed above if the designated jobs exist then the status or message is “already entered”, on the other hand if the status is “unentered” then the designated job does not exist. Therefore “already entered is the response

message for designated jobs that exist and "unentered" job is the response message for designated jobs that does not exist).

transmitting the information indicating that the received print job has been canceled to the received notification destination, after the print job has been canceled in accordance with the received request for canceling the print job. **(Section 0053 – when there is a job deletion event, the job manager 225 is notified and eventually updated in the management table 1201 which is inside client 201).**

Matsueda does not disclose wherein the notification destination received by the receiving unit is different from the information processing system to which the responding unit transmits the response information or the error information.

Okada discloses email address used as a notification destination **(Col. 13 lines 25-27- thus the email address is the destination where the result will be sent)** received by the printing machine (receiving unit) which is different from the information processing system **(Net fax 14 shown in fig. 3 is clearly different from the printing Machine)** to which the responding unit transmits the response information or the error information **(Col. 6 lines 64-67- thus if there is a transmission error, the response is sent to the email address indicated in the notification E-mail address table shown in Fig. 19)**. Since both Matsueda (Section 0066, lines 3-5) and Okada (Abstract, lines 1-3) discloses transmitting communication result of a process to a destination, it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Matsueda's system shown in Fig. 1 with the technology of sending the status to a

different location other than the source of the request like an email address as taught by Okada so that the user can check the status of the request if he is away from his original location. The motivation is that it gives the user more options to check the status of the request since the status can be checked in many different locations.

Claim 7, - (Cancelled)

Claim 8, Matsueda in view of Okada discloses a method which, further comprising: of retrieving the print job for which the request for canceling the print job has been submitted in accordance with the request for canceling the print job **(Matsueda: Section 0081-thus when the print job is retrievable then the job exist which will show as entered).**

wherein the response information is transmitted to the information processing system **(Matsueda: client 201 and server 202)** if the corresponding print job is retrieved **(Matsueda: Section 0081, lines 9-15- thus if it is determined that the print job exits in the job management area then a message in the form of a status as “already entered” is sent to the user in the form of a table as clearly shown in Fig. 5).**

and the error response information is transmitted to the information processing system if the corresponding print job is not retrieved **(Matssueda: Section 0071 and 0072- thus the error message “Unentered’ sent as the status because the print job cannot be found in the print system)**

Claim 9, Matsueda in view of Okada discloses a canceling method, which further comprises:

acquiring second identification information (**Matsueda: system ID shown in Fig. 5 is a secondary identification corresponding to a specific print job**) of the print job corresponding to first identification information (**Matsueda: Job handle ID in Fig. 5**) specified in the request for canceling the print job, (**Matsueda: Section 0081-hence the user via the user application sends instruction to cancel a print job request**); the second identification information being associated with the print job in order for the printing apparatus to manage the print job and canceling the print job based on the acquired second identification information (**Matsueda: Section 0081- the system ID corresponds to a specific print job as it clearly shows in Fig. 5**).

Claim 10, (Cancelled)

Claim 11, Matsueda discloses a printing apparatus (**Fig. 1, the printing apparatus includes print client 12 (is both server 12-02 and computer 12-01) and printer 13**) that processes a print job (**Section 0028, Lines 1-10-thus the print job created forms the print queue**), the printing apparatus comprising:

a receiving unit configured to receive, (**Section 0048, lines 1-3- portion of printer 231 that receives the print job**) from an information processing system, (**Section 0046- thus the print job is sent from client 201**) the print job

(Section 0048 lines 1-3 thus the print job is received) and a notification destination of information indicating completion of cancellation of the print job. **(Section 0053 clearly teaches that when there is a generation of event such as completion of deletion event, the reception unit 226 is notified and therefore it is clear that the destination notification was indicated to be the reception unit 226- please see NB)**

(NB: Section 0039, lines 3-5, if the reception unit 226 receives events updates such as completion of print job cancellation- then the printer has to receive a destination notification set to be the reception unit 226).

a request receiving unit **(Fig. 2 El. 226 or deletion event reception)** configured to receive, from the information processing system **(Fig. 2, Client 201- the user uses client 201 to issue a cancellation command)** a request for canceling the print job received by the receiving unit **(Section 0053, Lines 1-12- thus the generated event by the client includes a job cancellation event or command to cancel a print job is sent to the deletion event reception 226).**

a determining unit **(deletion control unit-CPU 221-Section 0009)** configured to determine whether the print job specified in the request still exists in the printing apparatus in a case where the request is received by the request receiving unit. **(Section 0009, thus the deletion control unit makes the determination that the print job can be deleted and therefore understand that before a print job can be deleted, the print job has to exist in the print queue-please see NB)**

(NB: Section 0059 lines 5-16- thus for a job to be deleted the print job has to be entered in the job management area 34 and a job event has to be generated and notified, therefore if the print job does not exist the system cannot see it not delete it)

a responding unit **(Fig. 2 El. 202, thus the 226 reception unit in the server sends a response of reception of the print job cancellation)** configured to transmit response information, indicating that the request has been received to the information processing system **(Section 0081, lines 11-15, Fig. 8 El 86, “the cancel command response is received” thus the response of the command to cancel the print job has been received)** before cancellation of the print job specified in the request is completed in a case where the determining unit determines that the print job specified in the request still exists in the printing apparatus **(Section 0066, lines 3-7- hence “the status of Job 0x0000020 is “to be deleted” indicating that a cancellation request has been received from the printing system 12” and “A job with this status will be cancelled as soon as it reaches the job management area 34” – This means that the status “to be deleted” is a response to indicate to the user that the request has been received and the job to be deleted exist and will be deleted)**

and to transmit error information **(“Unentered” shown in Fig. 5)** to the information processing system **(Client 201 shown in Fig. 2)** in a case where the determining unit **(CPU 221 shown in fig. 2)** determines that the print job specified in the request does not exist in the printing apparatus, **(Section 0071 and 0072- thus the**

error message “Unentered” sent as the status because the print cannot be found in the print system) as a response to the request received by the request receiving unit (Section 0082, lines 1-15- **“If, on the other hand in step S84 it is determined that the status of the designated job is not that of “already entered”- hence the designated job does not exist –see Section 0081 line 11 and if the status is “unentered” meaning the job does not exist then the job information for the job is deleted from the job management table 1202. Therefore the error message “unentered” is for jobs that does not exist understand that the response is sent in the form of a status)-please see NB**

(NB: as discussed above if the designated jobs exist then the status or message is “already entered”, on the other hand if the status is “unentered” then the designated job does not exist. Therefore “already entered is the response message for designated jobs that exist and “unentered” job is the response message for designated jobs that does not exist).

and

a transmitting unit (**Fig. 2 El. 231 or printer 231- thus after the print job has been deleted a response in the form of a status is sent back to the client)** configured to transmit information, **(the information is send in the form of a status)** that the print job has been canceled to the information processing system, the print job has been canceled in accordance with the request received by the receiving unit, **(Section 0053 – when there is a job deletion event, the job manager 225 is**

notified and eventually updated in the management table 1201 which is inside client 201).

Matsueda does not disclose wherein the notification destination received by the receiving unit is different from the information processing system to which the responding unit transmits the response information or the error information.

Okada discloses email address used as a notification destination (**Col. 13 lines 25-27- thus the email address is the destination where the result will be sent**) received by the printing machine (receiving unit) which is different from the information processing system (**Net fax 14 shown in fig. 3 is clearly different from the printing Machine**) to which the responding unit transmits the response information or the error information (**Col. 6 lines 64-67- thus if there is a transmission error, the response is sent to the email address indicated in the notification E-mail address table shown in Fig. 19**) . Since both Matsueda (Section 0066, lines 3-5) and Okada (Abstract, lines 1-3) discloses transmitting communication result of a process to a destination, it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Matsueda's system shown in Fig. 1 with the technology of sending the status to a different location other than the source of the request like an email address as taught by Okada so that the user can check the status of the request if he is away from his original location. The motivation is that it gives the user more options to check the status of the request since the status can be checked in many different locations.

Response to the Remarks filed by applicant

The response filled by the applicant on 07/21/2010 has been considered but was not persuasive.

Regarding claims 1, 6 and 11 applicant argues that the cited reference fails to teach or discloses transmitting information indicating that the job cancellation request has been received.

In reply, examiner respectfully disagrees because Matsueda discloses clearly in Section 0081 and Fig. 8 steps 85 and 86. In step 85 it states clearly "job cancellation command is issued" and in step 86 "response received" Also in Section 0081 lines 12-16 after the command for job cancellation is issued to the printer 231 in step 85, the printer 231 issues a response back to the issuer of the cancellation request with the "cancel command response has been received"). This means that a response as to whether the cancellation command is received or not is sent out or transmitted.

Also Section 0066 teaches clearly that "the status of this job is "to be deleted" which indicates that a cancellation request has been received from the printing system 12" Hence if the status sent to the user is "to be deleted" then it is an indication that the cancellation request has been received.

Remaining claims 2-5 and 8-9 are also rejected because the argument filed for the independent claims 1, 6 and 11 was not persuasive.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKWASI M. SARPONG whose telephone number is (571)270-3438. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

AMS
10/07/2010